

**IN THE APPELLATE COURT OF ILLINOIS  
FOR THE FOURTH DISTRICT**

ILLINOIS BELL TELEPHONE COMPANY,	)	
INC. (Ameritech Illinois),	)	
	)	
Petitioner,	)	Petition for Review of the Order of
	)	the Illinois Commerce Commission
	)	in I.C.C. Docket No. 01-0614
v.	)	
	)	
ILLINOIS COMMERCE COMMISSION, AT&T	)	
COMMUNICATIONS OF ILLINOIS, INC.,	)	
SPRINT COMMUNICATIONS, L.P., XO	)	
ILLINOIS, INC., WORLDCOM, INC.,	)	
MCLEODUSA TELECOMMUNICATIONS,	)	
INC., Z-TEL COMMUNICATIONS, INC.,	)	
GLOBAL CROSSING LOCAL SERVICES,	)	
INC., NOVACON LLC, GLOBALCOM, INC.,	)	
FOCAL COMMUNICATIONS CORP.,	)	
DATA NET SYSTEMS, LLC, TRUCOMM	)	
COMMUNICATIONS CORP., ILLINOIS	)	
PUBLIC TELECOMMUNICATIONS	)	
ASSOCIATION, and PROMOTING ACTIVE	)	
COMPETITION EVERYWHERE (PACE)	)	
COALITION,	)	
	)	
Respondents.	)	
	)	

**PETITION FOR REVIEW**

Pursuant to Section 10-201 of the Illinois Public Utilities Act (“PUA”), 220 ILCS 5/10-201, and Supreme Court Rule 335, Petitioner Illinois Bell Telephone Company, Inc. (“Ameritech Illinois”) hereby petitions the Appellate Court, Fourth District, for review of the Order of the Illinois Commerce Commission (“Commission”) entered on June 11, 2002, in Illinois Bell Telephone Company: Filing to Implement tariff provisions related to Section 13-801 of the Public Utilities Act, Ill. C.C. Docket No. 01-0614 (the “Order”).

The Order implements certain requirements imposed by section 13-801 of the Illinois Public Utilities Act (“PUA”), 220 ILCS 5/13-801, that conflict with and are preempted by the

federal Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) (codified at scattered sections of 47 U.S.C.).

Pursuant to Section 10-113 of the PUA, 220 ILCS 5/10-113, Ameritech Illinois filed a timely Application for Rehearing with the Commission on July 11, 2002, which was denied on July 24, 2002. A Notice of Commission Action denying Ameritech Illinois' Application for Rehearing was served on July 25, 2002. Ameritech Illinois files this Petition for Review under Section 10-201 of the PUA, 220 ILCS 5/10-201, and Supreme Court Rule 335, for the purpose of having this Court determine the lawfulness of the subject Order, and requests that portions of said Order that are preempted by federal law be reversed and that this Court order such other relief as it deems just and proper.

Attached hereto as Exhibit "A" is a copy of Ameritech Illinois' Notice of Appeal filed with the Commission, pursuant to Section 10-201(b) of the PUA, 220 ILCS 5/10-201(b), together with proof of service of the Notice of Appeal.

DATED: August 22, 2002

ILLINOIS BELL TELEPHONE COMPANY

By: /s/ J. Tyson Covey  
One of its Attorneys

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## **CERTIFICATE OF MAILING AND SERVICE**

I, J. Tyson Covey, an attorney, hereby certify that I caused the foregoing Petition for Review to be deposited in the mail, proper postage prepaid, at the United States Post Office at 211 South Clark Street, Chicago, Illinois 60604-1501, before 5:00 p.m. on August 22, 2002, and sent by UPS overnight mail, with all charges pre-paid, addressed to:

Darryl Pratscher  
Clerk of the Court  
Appellate Court of Illinois  
Fourth District  
Supreme Court Bldg.  
Springfield, IL 62701-1792

I also caused a copy of the foregoing Petition for Review to be deposited in the mail, proper postage prepaid, at the United States Post Office at 211 South Clark Street, Chicago, Illinois 60604-1501, before 5:00 p.m. on August 22, 2002, addressed to each person listed on the attached service list.

/s/ J. Tyson Covey  
J. Tyson Covey

**SERVICE LIST  
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NO. 01-0614**

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ASSOCIATION, and PROMOTING ACTIVE	)	
COMPETITION EVERYWHERE (PACE)	)	
COALITION,	)	
	)	
Respondents.	)	
	)	

**NOTICE OF APPEAL**

TO: Ms. Donna Caton  
Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62794-9280

PLEASE TAKE NOTICE that, pursuant to Section 10-201 of the Illinois Public Utilities Act (“PUA”), 220 ILCS 5/10-201, and Section 200.890 of the Commission’s Rules of Practice, 83 Ill. Adm. Code 200.890, Illinois Bell Telephone Company, Inc. (“Ameritech Illinois” or “Petitioner”) by its attorneys, has appealed to the Appellate Court, Fourth District, from the Order of the Commission entered on June 11, 2001, in Illinois Bell Telephone Company: Filing

to implement tariff provisions related to Section 13-801 of the Public Utilities Act, Ill. C.C.

Docket No. 01-0614 (the "Order") (the Petition for Review in that Court is attached). Ameritech Illinois' Application for Rehearing in this matter was filed on July 11, 2002, and the Commission denied that Application on July 24, 2002.

For the reasons stated in Ameritech Illinois' Application for Rehearing, which is incorporated herein by reference, Ameritech Illinois seeks review by the Appellate Court, Fourth District, of portions of the Order that are preempted by federal law. Ameritech Illinois requests that those portions of the Order be reversed and that the reviewing court order such other relief as it deems just and proper.

Pursuant to Section 10-201(b) of the PUA, 220 ILCS 5/10-201(b), you are respectfully requested to file with the Clerk of the Appellate Court, Fourth District, a certified copy of the Order dated June 11, 2002 in Docket No. 01-0614 within 5 days after the filing of this Notice of Appeal, and to certify and file the record within 15 days of being furnished with a copy of the record or appropriate stipulations.

DATED: August 22, 2002

ILLINOIS BELL TELEPHONE COMPANY

By: \_\_\_\_\_  
One of its Attorneys

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J. Tyson Covey



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